

**TOWN OF BIG FLATS
ZONING BOARD OF APPEALS
MEETING MINUTES**

DECEMBER 22, 2015

Town Hall
Meeting Room
7:00pm

Members Present: Don Williams, Heather Hanson, Dick Seely, Dave Robbins

Members Absent: None

Staff Present: Tim Gilbert, Brenda Belmonte

Guests: None

Minutes

November 24, 2015

Motion by Seely, seconded by Robbins, to approve the minutes of November 24, 2015, Discussion; None, Motion Carries 4-0.

PUBLIC HEARING

**PREMIER SIGN SYSTEMS / SIMMONS ROCKWELL AREA VARIANCE (SIGN)
224 COLONIAL DRIVE
TAX PARCEL #58.01-2-35.11**

Chair Williams opened the public hearing at 7:02pm noting it had been duly published in the Star Gazette.

Speaking for: None

Speaking against: None

Public hearing closed at 7:03pm

RESOLUTION ZBA-2015-12

**PREMIER SIGN SYSTEMS / SIMMONS ROCKWELL AREA VARIANCE (SIGN)
224 COLONIAL DRIVE
TAX PARCEL #58.01-2-35.11**

Resolution by: Robbins
Seconded by: Hanson

WHEREAS, the Zoning Board of Appeals of the Town of Big Flats received an application on October 16, 2015 from Simmons Rockwell, owner of tax parcel #58.01-2-35.111, for relief from Section 17.52 of the Town of Big Flats Zoning Law, Signs; and

WHEREAS, the Town of Big Flats Planning Board returned the referral to the Town of Big Flats Zoning Board of Appeals for their determination with a majority vote recommendation to deny said variance; and

WHEREAS, this board shall forward the request to the Chemung County Planning Board for their review and recommendations; and

WHEREAS, the Town of Big Flats Code Enforcement staff provided a staff report dated October 26, 2015; and

WHEREAS, the variance request as submitted is to increase the “maximum sign area per face in square feet or 10% of the side of the building”; and

WHEREAS, the proposed action is an Unlisted action pursuant to SEQR 6 NYCRR Part 617 and the Zoning Board of Appeals of the Town of Big Flats has conducted an uncoordinated review as lead agency; and

WHEREAS, the Planning Board has considered the Short Environmental Assessment Form and other materials submitted by the applicant in support of the proposed action, has considered the comments of its staff report dated October 26, 2015, pertaining to the review and evaluation of the proposed action; and

WHEREAS, this board has evaluated potential impacts to public health, safety and general welfare; and

WHEREAS, on the basis of materials submitted by the applicant, this board finds criteria #1, BFZL 17.60.120-B, to pass; and

WHEREAS, on the basis of materials submitted by the applicant, this board finds criteria #2, BFZL 17.60.120-B, to pass; and

WHEREAS, on the basis of materials submitted by the applicant, this board finds criteria #3, BFZL 17.60.120-B, to pass; and

WHEREAS, on the basis of materials submitted by the applicant, this board finds criteria #4, BFZL 17.60.120-B, to pass; and

WHEREAS, on the basis of materials submitted by the applicant, this board finds criteria #5, BFZL

17.60.120-B, to pass; and

WHEREAS, the Zoning Board of Appeals of the Town of Big Flats determined, pursuant to the provisions of SEQR 6 NYCRR Part 617, that the proposed Unlisted action will not have a significant impact on the environment and that preparation of an Environmental Impact Statement will not be required, thereby issuing a Negative Declaration

NOW THEREFORE BE IT RESOLVED, this board held a public hearing on December 22, 2015 at approximately 7:00pm;

FURTHER RESOLVED, the town of big flats zoning board grants approval to install a 56sq ft façade sign on the west side of the express lube building which exceed 10% of the façade by 6.8%.

Request to be considered: AYES: Williams, Seely, Hanson, Robinson,

NAYS:

ABSTAINED:

Dated: Tuesday, December 22, 2015

BIG FLATS, NEW YORK

By order of the Zoning Board of Appeals of the Town of Big Flats

Don Williams

Motion by Robbins, seconded by Seely to adjourn at 7:25pm, Discussion; None, Motion Carries 4-0.

Adjourned at 7:26pm